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OFFICE OF PETITIONS

In re Application of :
Rhett Drugge :
Application No. 09/625,712 :
Filed: July 26, 2000 :
Attorney Docket No. RD-001 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed June 17, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the non-final Office action mailed September 10, 2002, which set an one (1) month period for response. Accordingly, this application became abandoned on October 11, 2002. A Notice of Abandonment was mailed on July 1, 2003.

The above-identified application has been abandoned for an extended period of time. The Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office).

The file is being forwarded to Technology Center 3700 for review of the response, filed June 17, 2005, *in due course*.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

Edward J. Tannouse
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Office of Petitions/Patent
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